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OCT 26 1983

Mr. Alex Bourne
Talbot Industries
P.O. Box 608
Neosho, Missouri 64850

RE: MOD007140874

Dear Mr. Bourne:

As you requested, we have reviewed the process described in Paul Trentham's letter of September 23, 1983, to determine whether this facility qualifies for an exemption under 40 CFR Part 261.6, or, alternatively, whether your application for delisting of your spent pickle liquor process under 40 CFR Part 260.21 would better serve the needs of your company.

To clarify previous telephone discussions with Mr. Trentham, we wish to state for the record that Talbot Industries has always had these two options available under Federal regulations. Mrs. Harris, of my staff, suggested to Mr. Trentham in a telephone conversation early in September that the use of the exemption under Part 261.6 would be appropriate to try first. This analysis can be made at the Regional Office, while the delisting process is handled in Washington and is currently heavily backlogged. She asked that you submit a description of your process which would be reviewed by Region VII technical staff, and a written response provided to you. She also explained that Federal action under either Part 261.6, or under delisting would not necessarily accomplish the groundwork for an exemption under State law.

Therefore, the matter we are addressing today concerns itself only with whether Talbot Industries can be exempted as a generator of hazardous waste under RCRA regulations 40 CFR Part 261.6.

In reviewing the process description provided in Mr. Trentham's letter of September 23, 1983, we utilized the enclosed background documents to see if precedent and practice allows the application of Part 261.6. This regulation allows the exemption of spent pickle liquor "which is reused in wastewater treatment" at a facility holding a NPDES permit, or which is being accumulated, stored, or physically, chemically or biologically treated before such re-use. It appears that the process described herein meets that criteria, and also satisfies the analyses and precedents described in the background documents.

ARWM:WMBR:SPRS:B.HARRIS:Jp;x6534:10/20/83

SPRS
HARRIS
M

SPRS
MCLAUGHLIN
Conley
10/24/83

WMBR
MORBY *for*
LA
10/29



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RCRA RECORDS CENTER

Based on the information you have provided, it appears that Talbot Industries is eligible for exemption from generator status under 40 CFR Part 261.6 of the Resource Conservation and Recovery Act (RCRA). You have also stated that this facility does not generate other hazardous waste. Based on your statements, we are therefore exempting Talbot Industries from generator status under RCRA and cancelling your identification number. If your process should change so that you would routinely generate regulated quantities of hazardous waste, as described in 40 CFR Part 262, enclosed, you must contact us and reinstate your identification number.

The action described in this letter pertains only to the Federal RCRA system and does not dismiss you from compliance with the Missouri Solid and Hazardous Waste Laws and Regulations, 260.200 - 260.240 RSMo and 260.350 - 260.430 RSMo respectively. If you have any questions concerning this, please contact the Waste Management Program of the Missouri Department of Natural Resources at 314-751-3241.

Sincerely yours,

Robert L. Morby
Chief, Waste Management Branch
Air and Waste Management Division

cc: David Bedan, Director
Waste Management Program, MDNR

bcc: Mike Sanderson, AWCM